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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/970,409

10/03/2001

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213792

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09/27/2005

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EXAMINER

INGBERG, TODD D

ART UNIT

PAPER NUMBER

2193

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Non Compliant Response

1. The reply filed on May 3, 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

The Requirement For Information was responded to in part. The response was as follows:

"Requirement For Information -37 USC §1.105

Applicant and Assignee of this application are required under 37 CFR 1.105 to provide the Examiner with information that the Examiner believes is reasonably necessary to the examination of this application. In particular, the Assignee (Microsoft®) and inventors and Applicant's Representative(s) are required to provide the Patent Office with information on the first use and/or for sale of Microsoft product using the feature "IntelliSense" and relevant documentation of operations and use with an interpreted or compiled environment. The information is required to identify the date of first use and first sale of Microsoft products with "IntelliSense" and documentation on the operations and use with an interpreted or compiled environment.

To the best of Applicants knowledge, the information that the examiner has requested is as follows:

Office 4.3 was available June 3, 1994. The Office 4.3 suite contained Excel 5.0 and VBA 5.0, Word 6.0. Documentation describing the features of that product accompany this response (see reference 1 identified on the attached PTO 1449 form).

VBA 5.0 was announced on June 4, 1996 in Chicago at PC Expo. It shipped in January 1997 in Microsoft Office (Word and Excel). There was a beta release of VBA 5.0 in about March 1996.

VBA 5.0 was available for third parties to license on June 4, 1996. Prior to that date, VBA shipped in Microsoft Office 4.3, which began shipping June 3, 1994 as noted above.

VBA 5.0 was included in Microsoft Project sometime after the release of Office 97. Visual Basic 5.0 was announced February 3, 1997. See e.g., <http://www.microsoft.com/presspass/press/1997/Feb97/VB5PROpr.asp> (see reference 2 identified on the attached PTO 1449 form). That version of Visual Basic contained the following "IntelliSense" features:

List Properties/Methods: presents a drop-down list of properties available for that control; and Auto Quick Info: displays the syntax for statements and functions.

Applicant believes that the products were not marketed with the name "Intellisense" at that time of release of Visual Basic 5.0.

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Visual Basic 6.0 was announced June 15 1998. See e.g., <http://www.microsoft.com/presspass/press/1998/Jun98NB6ancpr.asp> (see reference 3 identified on the attached PTO 1449 form). That version of Visual Basic contained the following "Intellisense" features:

Auto Quick Info: see Visual Basic 5.0 above; and Auto List Members: When a user enters the name of a control in his or her program code, the Auto List Members feature presents a drop-down list of properties available for that control.

These two features can be found in the online Visual Basic 6.0 documentation found here (see reference 4 identified on the attached PTO 1449 form):

<http://msdn.microsoft.com/library/default.asp?url=/library/enus/vbcon98/html/vbconusingcodeeditor.asp>

The Visual Basic 6.0 documentation does not refer to these features as Intellisense."

Examiner's Response

The response "To the best of Applicants knowledge, the information that the examiner has requested is as follows:" and "Applicant believes that the products were not marketed with the name "Intellisense" at that time of release of Visual Basic 5.0.", makes it appear that it is the duty of only binding on the Applicant to provide information in response to Rule 105. It is the duty of three parties, Applicant(s), Assignee (Microsoft Corporation) and Applicant's Representative(s). It is unclear if the response was reflective of all three parties or only Applicant and Applicant's Representative.

The critical information not clearly stated is the Beta release date of VBA 5.0. The response "There was a beta release of VBA 5.0 in about March 1996." Is not descriptive enough to fully comply with the Requirement For Information. The response indicating the acknowledgement of the parties is required.

The Examiner appreciates the information that the functionality was not originally termed "Intellisense" in some products.

A response reflective of all parties the RFI is binding on is required. In the event the specific information is not readily available a statement reflecting the availability is required.

The scope as set forth in the original action is repeated.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is

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longer, within which to supply the omission or correction in order to avoid abandonment.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd Ingberg whose telephone number is (571) 272-3723. The examiner can normally be reached on during the work week..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'Todd Ingberg', with a long horizontal line extending from the right side of the signature.

Todd Ingberg
Primary Examiner
Art Unit 2193

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